Bill to amend the Cochin Steam Boilers and Prime Movers Regulation.

Mr. K. P. Kannan Nayar.—I beg to move that the Cochin Steam Boilers and Prime Movers Regulation Amendment Bill be taken up and passed.

Mr. C. J. Mathew.—I beg to second it.

Motion put and carried.

Cochin Municipal Regulation Amendment Bill.

Mr. K. P. Kannan Nayar.—I move that the Cochin Municipal Regulation Amendment Bill be taken up and passed.

Mr. C. J. Mathew.—I beg to second it.

Mr. K. G. Nayar.—Sir, in view of the correspondence that has been placed on the table relating to this Bill, I do not think there can be any opposition with regard to this Bill.

Dr. A. R. Menon.—This Bill was the result of a representation made by the Trichur Municipal Council and the object of the Bill is this: Now we are levying a fee of half-an-anna per rikshaw and one anna per jutka or single bullock cart, as the charges for keeping them in our stands. We thought that this is a vexatious imposition upon people and we wanted to reduce it to the lowest. If this bill is passed, instead of these people being liable to pay 12 rupees, they will have to pay only 8 annas per year. Far from inflicting any hardship, the object that moved us in requesting the Government to introduce a bill was to reduce the hardship and to bring it to the lowest possible level. I see that the House did not understand this yesterday. We are at one with the House not to inflict any additional injury to the poor people in the town.

Dr. A. G. Menon.—What about the private carts?

Dr. A. R. Menon.—They are not under this Regulation. It is very difficult to differentiate between the two. A man who can afford to keep a rikshaw can certainly afford to pay 9 pies. There are very few private carts. A person who can keep a rikshaw can pay 8 annas per year.

Mr. A. Eachara Menon.—What about the poor who live upon the proceeds of a cart and those who do not take their carts to the stand?

Dr. A. R. Menon.—That brings me to another point. You are imposing a fee on the rikshaws and the cart owners are exposing themselves to the sun and other clemencies of the weather. They are thereby exposing themselves to all kinds of diseases. Now when you are paying it for six months in lump you are inducing them to take shelter under the roof of the stand and the Municipality spends thousands of rupees for this. We do not collect the money as an imposition. We do not get any

LIBRARY ARCHIVES Kerala Legislative Assembly

thing. One block which would fetch at least Rs. 100, we are giving for Rs. 1—8—0. Therefore it is not to make money, but it is to induce them to take shelter under the roof of the stand. That is an additional argument why we have imposed this for six months together. Otherwise they come to this stand and the contractor asks for the money. They actually go out of the stand and stand in the hot sun. We wanted to avoid that. That is the second reason.

Mr. P. Krishna Menon.—Sir, it is said in the statement of objects and reasons, "it has therefore been suggested that the stands be made free". What I would like to know is whether it would be legal on the part of a Municipality, if the amendment is passed, to farm out a cart stand. The reason why I ask this question is, so far as Ernakulam is concerned, the income by farming out cart stands is about Rs. 600 and the additional taxation that is proposed and if carried out, will bring in about Rs. 200. Therefore there is a reduction in the income of the Municipality to the extent of three to four hundred rupees. No doubt, when I raised the point yesterday I was told that the raising of the fee, to which also I object, is optional. Therefore if the Ernakulam Municipality is not inclined to raise the tax, are they welcome to do so? But are they welcome to keep going on the farming out of the cart stand? If they are allowed, I have not the slightest objection for extending the generosity of the Council to the rikshaw-wallas by not increasing the tax, if it is left to their discretion. But it will deprive the Municipality of its income and the additional income is not commensurate with the loss by ceasing to farm out the cart stand. I submit, it will be an injury to the Municipality as a whole. There are individual cases which of course are worthy of consideration. Who are the persons who frequent the cart stands? Are they persons who have licensed their vehicles or persons who come from outside? The fee levied therefore comes mostly from persons who come from beyond the Municipality.

Dr. A. R. Menon.—No.

Mr. P Krishna Menon.—So far as Trichur is concerned, it may be so. It is otherwise in Ernakulam. Therefore, if the effect of passing this amendment is only to make the other free, I have no objection. But if it is intended that the loss of income to the Municipality by making it free is attempted to be made good by the increased taxation, I object to that.

Mr. K. P. Kannan Nayar.—I am afraid that in spite of my explanation yesterday, the House does not seem to have realised the real scope of this amending Regulation. Section 155 of the Municipal Regulation, as it stands at present, as I said

LIBRARY ARCHIVES Kerala Legislative Assembly

yesterday, has not been touched, nor is it sought to be touched by the present Regulation at all. That section stands as it is. There was a suggestion from the Trichur Municipality that they found some difficulty in farming the fees collections of their cart stands out and their idea was not to rent them out at all. In order that they may be compensated, they suggested that the maximum rates of the tax for the carts as also of rikshaws and other vehicles may be raised. Even by raising the maximum rates no Municipality is bound to levy the maximum rates. Now, as it stands, it may be open to any Municipality to farm out the fees, so far as these cart-stands are concerned, and not to collect the maximum rate that is provided in the Regulation. Though the Regulation provides Rs. 2—8—0 for every cart kept in the Municipality, they need not levy the maximum rate and are at perfect liberty to fix their own rates. It may be 8 annas or Re. 1. It is perfectly optional for the Municipality to levy any rent or fees for the cart-stands that may have been constructed out of its funds. So that the amended Regulation does not take away the right of any Municipality with reference to this matter. (*Hear, hear.*) Section 155 has not been touched. The mere fact that the maximum rate has been raised to Rs. 2—8—0 does not *ipso facto* mean that any Municipality is bound to levy that tax. It does not mean that. The Trichur Municipality made a suggestion and in order that the Regulation may enable them to compensate for the loss that they may suffer in not farming out the stands, this suggestion was accepted. It is open to any other Municipality to farm these stands or not, so far as this matter is concerned without affecting the rent. It will be perfectly at their disposal, as it is even now.

Motion put and carried.

Cochin Irrigation Bill.

Mr. T. A. Ramachandra Ayyar.—Sir, I move that the Cochin Irrigation Bill be read in Council.

Mr. A. Eachara Menon.—I beg to second it.

Motion put and carried.

Secretary to the Council.—The title of the Bill is 'the Cochin Irrigation Bill.'

Mr. T. A. Ramachandra Ayyar.—I request that the Bill may be referred to a Select Committee consisting of the following Members:

Chief Engineer, the Registrar of Panchayats, Mr. Paul Mampilli from Kanayannur, Mr. Seethi from Cranganur, myself from Mukundapuram, Mr. P. Kumaran Ezhuthassan from Trichur, Mr. T. K. Nayar and Dr. A. R. Menon from Talap-

LIBRARY ARCHIVES Kerala Legislative Assembly